

Right to Farm Laws Component Summary

The following chart is intended to provide a brief introduction to the main components of the various county 'right to farm' protections, as well as to highlight some of their similarities and differences. While some ordinances are 10, 15, or even twenty years old, most of the more recently adopted measures have followed a more comprehensive template. (Data compiled by Maryland Farm Bureau - 10/3/05)

	Good Neighbor Policy	Miscellaneous	Additional Definitions	Res. of Disputes and Procedures	Ag Reconciliation Board	Standard 4 Definitions	Limitations of Action	No Standing Clause	Bad Faith Clause	Transfer Disclosure	RTF Notice	Transfer Disclosure Text Incl.	RTF Notice Text Incl.	Online
Allegany						X ¹								X
Anne Arundel						X ²								
Baltimore										X				X
Calvert	X			X	X	X	X	X	X			X	X	X
Caroline	X			X	X	X ³	X	X	X			X	X	X
Carroll	X			X	X	X ⁴	X	X	X			X	X	X
Cecil		X ⁵		X	X			X			X	X		X
Charles	X		X ⁶	X	X	X	X	X	X			X	X	X
Dorchester	X			X	X	X	X	X	X	X	X			X
Frederick	X			X	X	X ⁷	X	X	X			X	X	
Garrett		X ⁹	X ⁸			X ⁸								
Harford¹⁰														X
Howard			X ¹¹						X					X
Kent	X		X ¹²	X	X	X ¹²	X	X		X	X			
Montgomery¹³														
Prince George's						X ¹⁴								X
Queen Anne's				X	X		X	X			X ¹⁵			X
Saint Mary's*														
Somerset	X			X	X	X ¹⁶	X	X	X			X	X	
Talbot			X ¹⁷	X	X	X ¹⁷	X	X				X	X	X
Washington	X			X	X	X ¹⁸	X	X	X			X	X	X
Wicomico	X			X	X	X ¹⁹	X	X	X			X	X	X
Worcester²⁰														X

* - Information pending

Notes from RTF Laws Component Summary

The 'Good Neighbor Policy' section refers to a statement that an additional purpose of the ordinance is to promote good neighbor relations through the use of disclosure statements and notices elaborated on further in the text. Charles County also defines the policy as methods by which ag operations should be conducted in a manner which demonstrates common courtesy, minimal impact on environment and human health, etc.

The 'Standard 4 Definitions' referenced in the chart refer to the most commonly included definitions in the comprehensive ordinances. These include agricultural land, agricultural operations, forestry operations, and generally accepted agricultural and forestry practices.

The 'No Standing Clause' section in the chart refers to the provision that if the plaintiff did not seek and/or obtain a decision on the dispute from the county's ag resolution board, he/she would have no standing in court.

The 'Bad Faith Clause' section refers to the provision that if the ag resolution board finds the plaintiff brought the case in bad faith or without substantive justification, he/she can be found liable for any/all expenses incurred by the defendant.

1 – Allegany – Only defines agriculture operation; contains a county definition of Concentrated Animal Feeding Operation (CAFO)

2 – Anne Arundel – Only defines agricultural operation

3 – Caroline – Does not define forestry operation

4 – Carroll - Does not define forestry operation

5 – Cecil – Establishes 'buffer' zones to protect agriculture from abutting residential subdivisions

6 – Charles – Also defines vibration, good neighbor policy, aircraft, and soil amendment

7 – Frederick - Does not define forestry operation

8 – Garrett - Does not define forestry operation, but does define farm use

9 – Garrett – Establishes its ordinance to take precedence over any current or potential future conflicts in zoning

10 – Harford – More of a zoning regulation, somewhat loosely set out

11 – Howard – Defines agricultural operation and where the nuisance protection applies

12 – Kent - Does not define forestry operation, but does also define agriculture, best management practices, and farm product

13 – Montgomery – In Agricultural Preservation Area the operation of machinery at anytime and GAA practices are permitted; noise nuisance does not apply to agricultural field machinery; no language of protection from nuisance suits

14 – Prince George's– Only defines agricultural operation; provides some protection from nuisance suits

15 – Queen Anne's – Chapter 18:1:E.7 Zoning and Subdivision Requirements establishes the issuance of a notice of a right to farm in AG, CS, or NC zoned areas

16 – Somerset - Does not define forestry operation

17 – Talbot - Does not define forestry operation; does also define agriculture, best management practices, and farm product

18 – Washington - Does not define forestry operation

19 – Wicomico - Does not define forestry operation

20 – Worcester – In the A-1 Agricultural District there can be no recourse against the effects of GAA farming or forestry operations as permitted in the zone area